

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION- FLINT**

In re: Barbara F. Palmer

Case No. 12-33124

Debtor

Chapter 7

Judge Daniel S. Opperman

**DEBTOR'S RESPONSE TO TRUSTEE'S OBJECTION TO
AMENDED EXEMPTIONS**

NOW COMES Debtor Barbara Palmer, by and through her attorney Linda Rawls, responds to the Trustee's Objection to Amended Exemptions. In support of her response, Ms. Palmer states as follows:

1. Ms. Palmer filed a chapter 7 bankruptcy on July 30, 2012 and did not disclose on her original schedules a personal injury claim. Nor did she disclose the personal injury claim at the 341 hearing held on August 27, 2012.
2. Ms. Palmer did not disclose this information because she had been struggling with memory issues as early as 2009, but was diagnosed with dementia in 2016.
3. The Debtor obtained a discharge on October 29, 2012 and the case was closed on November 1, 2012.
4. Ms. Palmer retained Sommers & Swartz, P.C. on May 7, 2012 and a Complaint was filed on September 26, 2012, which was a month after the 341 hearing.
5. Trustee Collene Corcoran filed an Ex Parte Motion to Reopen the case on January 20, 2017 and the Court granted that Motion on the same day.
6. Ms. Palmer amended her schedules as a matter of course on October 30, 2017 to include the wild card and personal injury exemptions.

7. Ms. Palmer should be allowed to claim these exemptions under *Law v Siegel*, 134 S. Ct. 1188 (2014) and *Ellmann v Baker* (In re Baker), 2015 WL 4033098 (6th Cir. July 2, 2015).
8. Ms. Palmer did not act in bad faith nor did she fraudulently conceal the asset. But Ms. Palmer should be allowed to claim the exemption regardless.

WHEREFORE, Ms. Palmer respectfully requests this Court to allow all claimed exemption.

Date: November 15, 2017

/s/ Linda J. Rawls
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